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OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
Director Eric Sottas

CASE POSTALE 119 - 37-39, RUE DE VERMONT
CH 1211 GENÈVE 20 CIC
TÉLÉPHONE +4122-733 31 40
FAX +4122-733 10 51

ELECTRONIC MAIL OMCT@GEONET.POPTEL.ORG.UK
OMCT@IPROLINK.CH

Case IDN/TMP 040897

The International Secretariat of OMCT requests your **URGENT** intervention in the following situation in **East Timor**.

Brief description of the situation:

The International Secretariat has been informed by reliable sources of the death of **Antonio Freitas** and the presumed arrest of fourteen East Timorese men on 2 July 1997 during an assault by the Indonesian military on the village Wadaboru, Quelicai. The current whereabouts of all fourteen men are still unknown.

According to the information received, **Mr Antonio Freitas** (20) from Mocobubu, Lacoliu village, Quelicai,sub-district, **Mr Lucas Gaio** (63) from Guruca village, Quelicai sub-district, **Mr Felix Fretias** (27), from Mocobubo, **Mr Celestino Ximenes** (20), from Lebenei, Letemumo village, Quelicai sub-district, **Mr Gregorio Ximenes** (25), from Lebenei, **Mr Januario Ximenes** (24), from lebenei, **Mr Amaro Ximenes** (19), from lebenei, **Mr Luciano Ximenes** (25), from Osomesa, Bualale village Quelicai, **Mr Cesario Marcal Freitas** (29), from the hamlet of Mocobubo, Lacoliu village, **Mr Marcos Pereira** (23), from the hamlet Uaule, Lacoliu, **Mr Domingos Ximenes** (24), from Lebenei, **Mr Leopoldo Ximenes** (20), from lebenei, **Mr Virgilio Ximenes** (19), from lebenei, **Mr Domingnos Savio Ximenes** (20), from Lebenei, and **Guilherme Moreira** (35) from Wadaboro were hiding in the house of **Mr Lucas Gaio** when they were attacked and arrested by the members of the Kopassus (special Forces Command), BTT 312 (territorial battalion) and Team Saka (a team of East Timorese recruited into the Indonesian military). It is believed that the military burnt down the house whereby both **Mr Lucas Gaio** and **Mr Marcos Pereira** got burnt before being arrested. **Antonio Freitas** was shot and killed during the assault and was later buried at Wadaboru.

The fourteen men were allegedly taken to Koramil (Sub-district Military Command) headquarters in Quelicai, where it is believed that they were subjected to torture. The following day, they were transferred by a military car to Baucau and taken to an unknown location.

According to the information received, a recent report states that the fourteen East Timorese men were arrested for their alleged involvement in an attack on a police car on 31 May 1997 in the village of Abafala in Quelicai, during which a car was set on fire. However, according to the information received, other sources have reported that the men arrested were all civilians and it is believed that they may have been arbitrarily arrested.

The International Secretariat is gravely concerned for the physical and psychological integrity of the fourteen East Timorese men and it is feared that if they are not located soon they will be at risk for further torture and ill-treatment, especially in light of the great number of cases describing torture and ill-treatment of detainees in military or police custody in East Timor.

Action requested:

Please write to the Indonesian authorities urging them to:

i. locate the whereabouts of the fourteen East Timorese men arrested, inform their families and guarantee their physical and psychological integrity;

ii. order the immediate release of the fourteen East Timorese men if they are detained without valid charges or, if such charges exist, bring them before a competent and impartial tribunal and guarantee their full procedural rights;

iii. carry out an impartial and thorough investigation into the events, identify those responsible and impose upon them the civil, penal and/or administrative sanctions provided by law;

iv. ensure adequate and appropriate medical treatment for **Mr Lucas Gaio** and **Mr Marcos Pereira**;

v. take all necessary measures to guarantee appropriate assistance to **Antonio Freitas**'s family, including their right to redress;

vi. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with national law and international standards;

Addresses:

MINISTER OF JUSTICE M. Haji Utoyo Usman S.H., Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 314 1625

CHIEF OF NATIONAL POLICE E Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, JI. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.
Telegrams : National Police Chief, Jakarta, Indonesia

MILITARY COMMANDER REGION IX/UDAYANA(covers East Timor, amongst other areas)
Maj. Gen. H. A. Rivai, Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia.
Telegram : Pangdam IX/Udayana, Denpasar, Bali, Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), JI Pemuda No.104 Arawamangun, Jakarta, Indonesia.

Geneva, 4 August 1997

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.